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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,686	10/31/2003	Timothy Connors	200312974-1	9799
22879	7590	08/25/2006	EXAMINER	
HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			DESCHERE, ANDREW M	
			ART UNIT	PAPER NUMBER
			2836	

DATE MAILED: 08/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/697,686	CONNORS ET AL.
	Examiner	Art Unit
	Andrew M. Deschere	2836

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-30 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-30 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 31 October 2003 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5/13/05.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Drawings

The drawings are objected to because Figures 1, 2, 3, and 4 do not contain textual labels. One of ordinary skill in the art would not be able to readily discern the function of the Figures' box diagram elements, such as 112, 114, 202, 452, etc. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claim 19 objected to because of the following informalities: claim 19 contains informalities of antecedent basis. Examiner assumes this claim was intended to depend from claim 18. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 9, 10, and 16-29 are rejected under 35 U.S.C. 102(b) as being anticipated by US 6,011,483 (Tanaka).

Tanaka discloses a wireless ID card unit with a power control circuit (switch 2 in the Figure) that operates to connect and disconnect a power source (battery 1) from circuitry within the unit (elements 4-9). A connection is made in response to a passive element (magnetic field detection section 3) sensing a magnetic field emitted from an external source (magnetic field generator 11). The on state of the switch is maintained until it is controlled by the magnetic field detection section or control section 5 to switch to an off state (column 3 lines 21-27).

Albeit a special definition, Examiner recognizes circuitry within the unit of Tanaka (elements 4-9) to act as the “active tag” and “appliance” as found in claims 16-19.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-6, 8, 11-14, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka in view of US 5,179,337 (Staarman).

With respect to claims 3-6, 11-13 Tanaka discloses that the switch 2 may be a transistor (column 4, lines 21-24), but there is no suggestion to a switch that has a high off state resistance such as a MOSFET. Staarman teaches the use of a MOSFET to connect a battery to a load (Staarman, element 17 in Figures 1 and 2). It would have been obvious to one of ordinary skill in the art at the time of the invention to use a MOSFET as the switching circuitry in Tanaka in order to achieve low leakage current (column 2, lines 47-64).

With respect to claims 8 and 30, Tanaka does not teach that the switch disconnects the battery from circuitry when a low voltage condition occurs. Staarman teaches that when a battery voltage falls below a predetermined level the switch connecting the battery to its load opens, disconnecting the power supply (column 3, lines 30-41). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the low-voltage disconnect of Staarman in order to prevent damage to the battery of Tanaka.

Claims 7, 15 rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka in view of US 6,927,555 (Johnson).

Tanaka discloses that a control section of the circuit may act independently of the magnetic field detection section to control the switch 2, but does not teach the use of an OR logic circuit in the power control circuitry. Johnson teaches the use of an OR logic gate 360 (Figure 3) to control FET 310 through latch 340. The FET connects battery cell 320 to battery circuit 330. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide an OR logic circuit at switch 2 of Tanaka if one desired a constant-transmission system while the unit was in the presence of a magnetic field.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

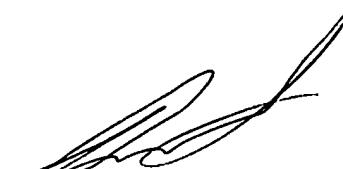
- US 6,969,928 (Hanson) discloses the use of magnetic detection to enable power transfer.
- US 6,700,491 (Shafer) discloses power control in an RFID device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew M. Deschere whose telephone number is (571) 272-8391. The examiner can normally be reached on M-F 8:30-6:00, every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus can be reached on (571) 272-2800 x36. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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